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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	COMPINAL
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EDMUND J. S	SEASE, ESOLURE			
ZARLEY, McKEE, THOMTE, VOORHEES & SEASE, P.L.C. 801 GRAND AVENUE SUITE 3200			EXAMINER	
			MELLER, MICHAEL V	
DES MOINES, IA 50309-2721			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary Examinar Michael V. Meller Art Unit A			Application No.	Applicant(s)				
Michael V. Meller	Office Action Summary		09/982,978	COOLIDGE ET AL.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. 1 Extensions or time may be windled above the presume of 3 CFR 1.13(a), in no event, however, may a reply be timely filed after 30 kg/s for reply specified above to leave that thirty (30) days, a next which the statutory reminium of thirty (30) days, will be considered timely. 1 If NO periods for reply specified above, the maximum attathory period will apply and will enjoy 6x (4) MONTHS from the mailing date of this communication. Failure to raply within the set of extended period for reply will, by statute, cause that should be shown that the second statute through the second statute of the communication, even it limby filed unity reduce any second statute through the second statute through the second statute and substance. Second statute through the second statute and statute through the second statute through through through the second statute through th			Examiner	Art Unit				
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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 50°CR1. 13(56). In ne event, however, may a reply be timely fied If the period for reply sepecified above is less than fiety (30) days, a reply within the statutory minimum of thiny (30) days will be considered timely. If the period for reply sepecified above is the statute of the period for reply sepecified above, the maximum statutory entired using poly and vide septe 50°C (8) (ACMTS for the mailing date of this communication, even if timely field, may reduce any seamed patients and adjustment. See 37 CFR 1.74(b). Status 1) N Responsive to communication(s) filled on 09 December 2002. This action is FINAL. 2b This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under £x parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 4-7 and 9-16 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 4-7 and 9-16 is/are pending in the application. 4a) Claim(s) 4-7 and 9-16 is/are rejected. 7) Claim(s) is/are allowed. 6 Claim(s) 4-7 and 9-16 is/are rejected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is/are: a) accepted or b) objected to by the Examiner. 12) The proposed drawing correction filed on is/are: a) approved b) disapproved by the Examiner. 12) The oath or declaration is objected to by the Examiner. 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 3) All b) Some c) Nonce of: 1- Certified copies of the priority documents have been received. 2- Certified copies of the p			ears on the cover sheet with the o	correspondence address				
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Application/Control Number: 09/982,978

Art Unit: 1654

DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 4-7, 9-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aspnes et al. or DuBois in view of Horikawa et al.

Applicant argues that GLP-1, insulin and other treatments have been known to prevent diabetic cardiomyopathy but that it does not follow that one would use GLP-1 to treat the disorder.

This is not well taken since the references are clear that they <u>do treat</u> as is noted at the cited places in the references which are of record.

Thus applicants arguments are without merit.

Claims 4-7, 9-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Efendic in view of Horikawa et al.

The same arguments are applied here as well as the same rebuttal.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 1654

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael V. Meller whose telephone number is 703-308-4230. The examiner can normally be reached on Monday thru Friday: 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brenda Brumback can be reached on 703-306-3220. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-0294 for regular communications and 703-308-0294 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

Michael V. Meller Primary Examiner Art Unit 1654

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 MVM

March 5, 2003

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